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FIFTH CIRCUIT  
5CPC-18-0000330  
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Attorneys for STATE OF HAWAII

IN THE CIRCUIT COURT OF THE FIFTH CIRCUIT  
STATE OF HAWAII

STATE OF HAWAII

vs.

FORREST CASSIDY WILSON  
BROYLES,

Defendant.

CR. NO. 5CPC-18-330

COUNT 1: ATTEMPTED MURDER IN  
THE SECOND DEGREE(C18-04851)

COUNT 2: BURGLARY IN THE FIRST  
DEGREE(C18-04851)

COUNT 3: CRIMINAL PROPERTY  
DAMAGE IN THE SECOND  
DEGREE(C18-04851)

COUNT 4: TERRORISTIC  
THREATENING IN THE FIRST  
DEGREE(C18-04851)

INDICTMENT

INDICTMENT

The GRAND JURY charges:

COUNT 1: On or about the 3rd day of December, 2018, in the County of Kaua'i, State of Hawai'i, FORREST CASSIDY WILSON BROYLES did intentionally engage in conduct which is a substantial step in a course of

conduct intended or known to cause the death of Timothy Strauwald, thereby committing the offense of Attempted Murder in the Second Degree, in violation of Hawai'i Revised Statutes Sections 705-500, 707-701.5, and 706-656.

If convicted of this offense or any included felony offense, FORREST CASSIDY WILSON BROYLES may be subject to sentencing in accordance with Section 706-661 and Section 706-662(4)(a) of the Hawai'i Revised Statutes where he is a multiple offender in that is being sentenced for two or more felonies or is already under sentence of imprisonment for any felony, and an extended term of imprisonment is necessary for the protection of the public.

If convicted of this offense or any included felony offense, FORREST CASSIDY WILSON BROYLES may be sentenced to a mandatory minimum period of imprisonment without the possibility of parole in accordance with Section 706-606.5 of the Hawaii Revised Statutes where he is a repeat offender as he was previously convicted, on or about December 7, 2017, of two counts of Terroristic Threatening in the First Degree and one count of Criminal Property Damage in the Second Degree, all class C felonies, under criminal number 5CPC-17-0000171, and the instant offense, or any included felony offense, was committed within 5 years of that prior conviction. For the trial or guilty/no contest plea proceedings, as well as sentencing, underlying the conviction of two counts of Terroristic Threatening in the First Degree and one count of Criminal Property Damage in the Second Degree, under criminal number 5CPC-17-0000171, FORREST CASSIDY WILSON BROYLES was represented by counsel or waived the right to counsel.

COUNT 2: On or about the 3rd day of December, 2018, in the County of Kaua'i, State of Hawai'i, FORREST CASSIDY WILSON BROYLES did intentionally enter or remain unlawfully in a building, to wit: residence of

Timothy Strauwald, situated on Ihilani Place, in Kapa'a, Hawai'i with intent to commit therein a crime against a person or property rights, and did recklessly disregard the risk that the building was the dwelling of another, and the building is such a dwelling, thereby committing the offense of Burglary in the First Degree, in violation of Section 708-810(1)(c) of the Hawaii Revised Statutes.

If convicted of this offense or any included felony offense, FORREST CASSIDY WILSON BROYLES may be subject to sentencing in accordance with Section 706-661 and Section 706-662(4)(a) of the Hawai'i Revised Statutes where he is a multiple offender in that is being sentenced for two or more felonies or is already under sentence of imprisonment for any felony, and an extended term of imprisonment is necessary for the protection of the public.

If convicted of this offense or any included felony offense, FORREST CASSIDY WILSON BROYLES may be sentenced to a mandatory minimum period of imprisonment without the possibility of parole in accordance with Section 706-606.5 of the Hawaii Revised Statutes where he is a repeat offender as he was previously convicted, on or about December 7, 2017, of two counts of Terroristic Threatening in the First Degree and one count of Criminal Property Damage in the Second Degree, all class C felonies, under criminal number 5CPC-17-0000171, and the instant offense, or any included felony offense, was committed within 5 years of that prior conviction. For the trial or guilty/no contest plea proceedings, as well as sentencing, underlying the conviction of two counts of Terroristic Threatening in the First Degree and one count of Criminal Property Damage in the Second Degree, under criminal number 5CPC-17-0000171, FORREST CASSIDY WILSON BROYLES was represented by counsel or waived the right to counsel.

COUNT 3: On or about the 3rd day of December, 2018, in the County of Kaua'i, State of Hawai'i, FORREST CASSIDY WILSON BROYLES, by means other than fire, did intentionally or knowingly damage the property of Timothy and/or Amanda Strauwald, without his/her consent, in an amount exceeding One Thousand Five Hundred Dollars (\$1,500.00), thereby committing the offense of Criminal Property Damage in the Second Degree, in violation of Hawai'i Revised Statutes Section 708-821(1)(b).

If convicted of this offense or any included felony offense, FORREST CASSIDY WILSON BROYLES may be subject to sentencing in accordance with Section 706-661 and Section 706-662(4)(a) of the Hawai'i Revised Statutes where he is a multiple offender in that is being sentenced for two or more felonies or is already under sentence of imprisonment for any felony, and an extended term of imprisonment is necessary for the protection of the public.

If convicted of this offense or any included felony offense, FORREST CASSIDY WILSON BROYLES may be sentenced to a mandatory minimum period of imprisonment without the possibility of parole in accordance with Section 706-606.5 of the Hawaii Revised Statutes where he is a repeat offender as he was previously convicted, on or about December 7, 2017, of two counts of Terroristic Threatening in the First Degree and one count of Criminal Property Damage in the Second Degree, all class C felonies, under criminal number 5CPC-17-0000171, and the instant offense, or any included felony offense, was committed within 5 years of that prior conviction. For the trial or guilty/no contest plea proceedings, as well as sentencing, underlying the conviction of two counts of Terroristic Threatening in the First Degree and one count of Criminal Property Damage in the Second Degree, under criminal number 5CPC-17-0000171, FORREST CASSIDY WILSON BROYLES was

represented by counsel or waived the right to counsel.

COUNT 4: On or about the 3rd day of December, 2018, in the County of Kaua'i, State of Hawai'i, FORREST CASSIDY WILSON BROYLES threatened Timothy Strauwald, by word or conduct, to cause bodily injury to Timothy Strauwald, with the use of a dangerous instrument, to wit: machete, with the intent to terrorize, or in reckless disregard of the risk of terrorizing Timothy Strauwald, thereby committing the offense of Terroristic Threatening in the First Degree, in violation of Section 707-716(1)(e) of the Hawaii Revised Statutes.

If convicted of this offense or any included felony offense, FORREST CASSIDY WILSON BROYLES may be subject to sentencing in accordance with Section 706-661 and Section 706-662(4)(a) of the Hawai'i Revised Statutes where he is a multiple offender in that is being sentenced for two or more felonies or is already under sentence of imprisonment for any felony, and an extended term of imprisonment is necessary for the protection of the public.

If convicted of this offense or any included felony offense, FORREST CASSIDY WILSON BROYLES may be sentenced to a mandatory minimum period of imprisonment without the possibility of parole in accordance with Section 706-606.5 of the Hawaii Revised Statutes where he is a repeat offender as he was previously convicted, on or about December 7, 2017, of two counts of Terroristic Threatening in the First Degree and one count of Criminal Property Damage in the Second Degree, all class C felonies, under criminal number 5CPC-17-0000171, and the instant offense, or any included felony offense, was committed within 5 years of that prior conviction. For the trial or guilty/no contest plea proceedings, as well as sentencing, underlying the conviction of two counts of Terroristic Threatening in the First Degree and one count of Criminal Property Damage in the Second Degree, under criminal

number 5CPC-17-0000171, FORREST CASSIDY WILSON BROYLES was represented by counsel or waived the right to counsel.

Dated: Līhu'e, Kaua'i, Hawai'i DECEMBER 12, 2018.

A TRUE BILL



Foreperson


Indictment presented and

filed at 10:21 a.m.

DEC 12 2018



Clerk

  
JENNIFER S. WINN  
Deputy Prosecuting Attorney